

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

.....
KAREEM PERRY,

Plaintiff,

v.

9:07-CV-1245
{GLS}{DRH}

BRIAN S. FISCHER; ROBERT K. WOODS,

Defendants.
.....

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

KAREEM S. PERRY
Plaintiff, *pro se*
Upstate Correctional Facility
PO Box 2001
Malone NY 12953

FOR THE DEFENDANTS:

HON. ANDREW M. CUOMO
Office of the Attorney General
The Capitol
Albany, New York 12224

ADRIENE J. KERWIN, AAG

GARY L. SHARPE, U.S. District Judge

ORDER

Presently before this Court for consideration is a request from plaintiff Kareem S. Perry (“plaintiff” or “Perry”) to dismiss this action. *See* docket no. 10. By his request, Perry states he is “... withdrawing the case [and] respectfully request[s] that [the Court] remove this case from the court calendar.” *See id.*

The defendants have advised the Court that they consent to the dismissal of the complaint.
See docket nos. 12 and 14.

After a review of the entire file herein, including the defendants' response to plaintiff's request for voluntary dismissal, the Court hereby orders that the complaint be dismissed **without prejudice**.

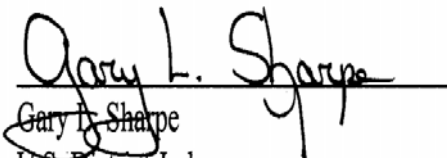
WHEREFORE, based upon the above, it is hereby

ORDERED, that this action be dismissed **without prejudice** pursuant to Perry's request (docket no. 10) and it is further

ORDERED, that the Clerk serve a copy of this Order on the parties in accordance with the Local Rules.

IT IS SO ORDERED.

Dated: March 18, 2008
Albany, New York



Gary L. Sharpe
U.S. District Judge